THOMAS HAWTHORN,

Plaintiff,

VS.

A. E. CLARY,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW
NO. 7935

PLEAS

Now comes the defendant in the above styled cause and for plea to the complaint heretofore filed in said cause says, separately and severally:

- 1. The allegations of the complaint are untrue.
- 2. For further plea to the complaint and by way of recoupment, the defendant claims of the plaintiff the sum of Two Hundred Fifty Dollars (\$250.00) for that heretofore on to-wit, June 5, 1967, the defendant sold to the plaintiff one 1964 Corvair automobile at and for the sum of Six Hundred Five and 25/100 Dollars (\$605.25) and on said date the plaintiff paid to the defendant One Hundred Fifty Dollars (\$150.00) in cash and delivered to the defendant a check in the amount of Four Hundred Fifty-five and 25/100 Dollars (\$455.25) which check was in favor of defendant and which was duly presented and payment refused. Defendant avers that the plaintiff retained possession of the said automobile until on or about July 6, 1967, at which time it was returned to defendant and that during the period of time from June 5, 1967, until July 7, 1967, the said plaintiff so negligently operated said automobile as to cause great damage to the engine in said automobile requiring the defendant to expend the sum of One Hundred Twelve Dollars (\$112.00) in and about the repair of the said automobile and the value of the said automobile was greatly diminished because of the said plaintiff's negligence, all to the defendant's injury and damage as aforesaid.



JAN 1 9 1968

SUMMONS AND COMPLAINT

STATE OF ALABAMA BALDWIN COUNTY IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA CASE NO. ______TERM, 19_____

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to summon A. E. Clary to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against A. E. Clary, Defendant, by Thomas Hawthorn, Plaintiff.

WITNESS my hand this 30 day of Dec , 1967

acciolalio CLERK.

THOMAS HAWTHORN,

IN THE CIRCUIT COURT OF

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BAIDWIN COUNTY, ALABAMA

Vs.

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AT LAW

A. E. CLARY,

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CASE NO. <u>1935</u>

Defendant.

Plaintiff,

COUNT ONE

Plaintiff claims of the Defendant the sum of One Hundred Fifty (\$150.00) Dollars, due from the Defendant by a check drawn by him on the American National Bank And Trust Company, of Mobile, Alabama, in favor of the Plaintiff for said amount, on the 6th day of July, 1967, which was duly presented and payment refused, which said sum of money, with interest thereon, is due and unpaid.

ATTORNEY FOR PLAINTIFF

Defendant's Address: Clary's Used Autos, on dirt road back of old Red Top.

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ALCE J. DUCK CLERK REGISTER

872

CASE NO. <u>7935</u>

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THOMAS HAWTHORN,

PLAINTIFF,

VS.

A. E. CLARY,

DEFENDANT.

TAYLOR WILKINS, Short R. By CU & Lallier R.

served a copy of the within 8

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

AT LAW - - - -

ATTORNEY FOR PLAINTIFF:

KENNETH COOPER

DEC 3 0 1967

ALICE J. DUCK CLERK REGISTER

DEFENDANT'S ADDRESS:

Clary's Used Autos, on dirt road back of old Red Top.

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